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SHERYL A. STRAIN
CHAPTER 7 TRUSTEE
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In the Matter of:) Case No.: 09-60064-A-7
)
JAMES R. RABAGO and) DC No. SAS-003
)
NATALIE L. RABAGO) MOTION FOR AUTHORIZATION TO
) SELL PERSONAL PROPERTY
) 11 U.S.C. §363
)
) Date: October 6, 2010
) Time: 9:00 a.m.
Debtors) Dept: A
) Judge: Honorable Whitney Rimel
)
)

**TO THE HONORABLE WHITNEY RIMEL UNITED STATES BANKRUPTCY
JUDGE:**

Sheryl A. Strain respectfully represents:

1. She is the duly appointed, qualified, and acting Trustee of the above-entitled estate.
2. The above-captioned case was filed under Chapter 7 on or about October 19, 2009, and Sheryl A. Strain was appointed Chapter 7 Trustee.
3. This Court has jurisdiction over this proceeding by virtue of 28 U.S.C. §1334(a). This a "core" proceeding pursuant to 28 U.S.C. §157(b)(2)(A). This motion is brought pursuant to 11 U.S.C. §363.

1 4. Among the assets of this estate is farm equipment ("equipment"), specifically an
2 Orchard Scraper with an approximate fair market value of Five Hundred Dollars (\$500.00).

3 5. The debtors' schedules did not list the equipment.

4 6. The Trustee has received an offer from Arlan Thomas, to purchase the
5 Orchard Scraper for the total sum of \$500.00 cash. The total sum of \$500.00 has been received
6 by the estate.

7 7. In deciding to accept the proposed offer, the Trustee took into consideration the
8 fair market value of the equipment and the costs associated with taking possession of, storing,
9 and selling the equipment at auction. The Trustee does not believe that the estate would net a
10 higher amount by selling the equipment at auction.

11 8. The Trustee believes that sale of the above-described property on the terms set
12 forth above is in the best interest of the creditors of this estate and all parties in interest.

13 **WHEREFORE**, the Trustee prays that after appropriate notice and opportunity to be
14 heard, she be authorized to sell the above-described asset to Arlan Thomas for the total sum of
15 \$500.00.

16
17 Dated: September 8, 2010

_____/s/_____
Sheryl A. Strain
Chapter 7 Trustee